

BR

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 08 CR 576

LESTER N. SWIMS, et al.,

Defendants.

PROTECTIVE ORDER

Upon the motion of third-party subpoena respondent Computershare Inc. ("Computershare"), through its counsel, and pursuant to Federal Rule of Criminal Procedure 16(d)(1) for good cause shown, it is hereby ORDERED as follows:

1. All materials produced by Computershare in response to the subpoena for documents issued to it in this action, including but not limited to business records, documents, reports, summaries and any other tangible items provided by Computershare (collectively, "these materials") remain the property of Computershare. Upon conclusion of the trial of this case and any direct appeals of this case or upon the earlier resolution of the charges against any defendant, all of these materials and all copies made thereof shall be returned to Computershare, unless otherwise agreed to by Computershare, or unless otherwise ordered by the Court.

2. All these materials produced by Computershare may be utilized by each defendant, each defendant's counsel of record, and employees and agents of defendant's counsel solely in connection with the defense of this case and for no other purpose and in connection with no other proceeding. Defendants' counsel of record and defendants shall not disclose these materials either directly or indirectly to any person other than the defendant, defendant's counsel of record, counsel for a co-defendant, persons employed or agents working with defendant's

counsel to assist in the defense, potential witnesses - and their attorneys and agents - to whom documents relevant to their testimony may be shown in connection with the defense of this case, or such other persons to whom Computershare agrees, or the Court explicitly authorizes disclosure (hereinafter collectively referred to as "authorized individuals"). Any notes or records of any kind that defense counsels or defendants may make relating to the contents of materials provided by Computershare shall not be disclosed to anyone other than the authorized individuals, and all such notes and records shall not be disclosed except as provided by this Order.

3. When these materials produced are disclosed by a defendant or a defendant's counsel of record to authorized individuals pursuant to the terms of this Order, the authorized individuals shall not disclose these materials, or notes pertaining to these materials, either directly or indirectly to any person, and shall not use these materials for any purpose other than in connection with this case and for no other purpose or proceeding.

4. These materials shall not be copied or reproduced by any defense counsel or defendant except for their own use, which includes allowing authorized individuals to review these materials, and such copies and reproductions shall be treated in the same manner as the original matter.

5. Nothing in this Order will prevent any party from utilizing any of the materials produced by Computershare at trial, or marking them as a trial exhibit. Such materials will not become part of the court record unless there is an appeal, and counsel shall otherwise observe the restrictions of this Order.

6. Defendants' counsel of record shall inform all authorized individuals to whom any of these materials are disclosed that the disclosure is made pursuant to the terms of this

Order; shall provide each of these individuals with a copy of this Order; and shall direct each of these individuals to comply with the terms of this Order.

7. The restrictions set forth in this Order do not apply to documents that are in the public record or public domain.

8. The restrictions set forth in this Order do not apply to the United States, and nothing in this Order limits the government's use and/or dissemination of these materials.

9. This Order may be modified by the agreement of Computershare and the parties, with permission of the Court, or by further Order of the Court.

10. Any violation of this Order may result in imposition of civil and criminal sanctions.

Enter:


Federal District Judge

Dated: March 9, 2009